

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 5-7 and 9-16 are currently being amended.

Claims 17-19 are currently being added.

This amendment adds and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriately defined status identifier.

After amending the claims as set forth above, claims 1-19 are now pending in this application.

Specification Amendments:

The specification has been amended to correct minor typographical and grammatical errors. No new matter has been added.

Claim Rejections – Prior Art:

In the Office Action, claims 1-4, 6, 8, 15 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,882,335 to Saarinen; claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatenable over Saarinen in view of U.S. Patent Publication No. 2004/0223622 to Lindeman et al.; and claims 7 and 9-14 were rejected under 35 U.S.C. § 103(a) as being unpatenable over Saarinen in view of U.S. Patent Publication No. 2002/0186528 to Huang. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claim 1 has been amended to recite that changing the operating state of the device has no effect on an operating state of the apparatus. In other words, referring now to Figure 2 of the drawings, when a user places the cube 10 to a

particular orientation, that affects an operating state of a computer 22, but it has no affect on an operating state of the cube 10 itself.

Turning now to Saarinen, that reference discloses a system by which a user can place a display apparatus in either a portrait or a landscape orientation, whereby the particular orientation of the display apparatus is detected, and whereby components of the display apparatus are configured based on the detected orientation of the display apparatus. Thus, as compared to the present invention, the cube 10 of the present invention would correspond best to the loudspeakers provided on the display apparatus of Saarinen, whereby in Saarinen those loudspeakers are configured based on the particular orientation of the display apparatus, whereby in the present invention the cube is not affected at all by its orientation. Rather, in the present invention, the cube controls an operating state of another device (e.g., a computer), and does not affect the operating state of the cube in any way, shape or form.

Accordingly, presently pending claim 1 is not anticipated by Saarinen. Since none of the other cited art of record makes up for the above-mentioned deficiencies of Saarinen, presently pending claim 1 is not obvious over the cited art of record.

Each of the other presently pending independent claims under rejection has been amended in a manner similar to the amendments made to claim 1, as discussed above, and thus each of the presently pending independent claims under rejection are patentable over the cited art of record, for similar reasons as given above with regard to claim 1.

The presently pending dependent claims under rejection are patentable due to their respective dependency on one of the presently pending independent claims discussed above, as well as for the specific features recited in those dependent claims.

For example, in its rejection of claims 10 and 11, the Office Action asserts that “the inventor has failed to teach the purpose or the advantage of specifying the operating states being such states in any part of the specification.” Applicant respectfully disagrees. As clearly explained on pages 7 and 8 of the specification, use of a context cube allows a user to set his/her computer to a particular state in a very easy manner, without having to manipulate the computer itself to change the state of the computer (e.g., by having to go into a “Settings” mode of the computer). Furthermore, claim 11 now recites that the different operating states

correspond to choice of software and desktop layout of the personal computer. While the combination of Saarinen and Huang may teach the selection of particular loudspeakers of a computer to be configured to a particular setting based on the orientation of a display of the computer, this has nothing at all to do with selection of choice of software and desktop layout of the personal computer. Furthermore, the combination of Saarinen and Huang does not teach changing the particular states of a computer as recited in claim 10. Accordingly, claims 10 and 11 are patentable for these additional reasons.

With respect to claim 16, that claim now recites that the housing comprises a cube having a plurality of faces each having a unique printed label provided thereon, to allow a user to place the cube at a particular orientation based on which operating state of the device corresponding to one of the unique printed labels is desired by the user. See the context cube shown in Figure 1 of the drawings, for example. Column 7, lines 62-66 of Saarinen (applied against claim 16 in the Office Action) merely describes features of Saarinen's display apparatus 20, which does not correspond to a cube having unique printed labels in any way, shape or form. Accordingly, claim 16 is patentable for these additional reasons.

New Claims:

New claims 17-19 have been added to recite additional features of the present invention that are believed to provide a separate basis of patentability for those new claims. Support for new claim 17 may be found, for example, on page 7, lines 4-5 of the specification. Support for new claims 18 and 19 may be found, for example, on page 8 of the specification.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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